

Homeland Security Act of 2002 which comprises this chapter.

§ 472. Annual weaponry report

(a) The Secretary of Homeland Security shall submit to the Congress, not later than 180 days after March 4, 2015, and annually thereafter, beginning at the time the President's budget proposal for fiscal year 2017 is submitted pursuant to section 1105(a) of title 31, a comprehensive report on the purchase and usage of weapons, subdivided by weapon type. The report shall include—

(1) the quantity of weapons in inventory at the end of the preceding calendar year, and the amount of weapons, subdivided by weapon type, included in the budget request for each relevant component or agency in the Department of Homeland Security;

(2) a description of how such quantity and purchase aligns to each component or agency's mission requirements for certification, qualification, training, and operations; and

(3) details on all contracting practices applied by the Department of Homeland Security, including comparative details regarding other contracting options with respect to cost and availability.

(b) The reports required by subsection (a) shall be submitted in an appropriate format in order to ensure the safety of law enforcement personnel.

(Pub. L. 114–4, title V, § 562, Mar. 4, 2015, 129 Stat. 72.)

CODIFICATION

Section was enacted as part of the appropriation act cited in the credit of this section, and not as part of the Homeland Security Act of 2002 which comprises this chapter.

§ 473. Cyber Crimes Center, Child Exploitation Investigations Unit, Computer Forensics Unit, and Cyber Crimes Unit

(a) Cyber Crimes Center

(1) In general

The Secretary shall operate, within United States Immigration and Customs Enforcement, a Cyber Crimes Center (referred to in this section as the “Center”).

(2) Purpose

The purpose of the Center shall be to provide investigative assistance, training, and equipment to support United States Immigration and Customs Enforcement's domestic and international investigations of cyber-related crimes.

(b) Child Exploitation Investigations Unit

(1) In general

The Secretary shall operate, within the Center, a Child Exploitation Investigations Unit (referred to in this subsection as the “CEIU”).

(2) Functions

The CEIU—

(A) shall coordinate all United States Immigration and Customs Enforcement child exploitation initiatives, including investigations into—

- (i) child exploitation;
- (ii) child pornography;
- (iii) child victim identification;
- (iv) traveling child sex offenders; and
- (v) forced child labor, including the sexual exploitation of minors;

(B) shall, among other things, focus on—

- (i) child exploitation prevention;
- (ii) investigative capacity building;
- (iii) enforcement operations; and
- (iv) training for Federal, State, local, tribal, and foreign law enforcement agency personnel, upon request;

(C) shall provide training, technical expertise, support, or coordination of child exploitation investigations, as needed, to cooperating law enforcement agencies and personnel;

(D) shall provide psychological support and counseling services for United States Immigration and Customs Enforcement personnel engaged in child exploitation prevention initiatives, including making available other existing services to assist employees who are exposed to child exploitation material during investigations;

(E) is authorized to collaborate with the Department of Defense and the National Association to Protect Children for the purpose of the recruiting, training, equipping and hiring of wounded, ill, and injured veterans and transitioning service members, through the Human Exploitation Rescue Operative (HERO) Child Rescue Corps program; and

(F) shall collaborate with other governmental, nongovernmental, and nonprofit entities approved by the Secretary for the sponsorship of, and participation in, outreach and training activities.

(3) Data collection

The CEIU shall collect and maintain data concerning—

(A) the total number of suspects identified by United States Immigration and Customs Enforcement;

(B) the number of arrests by United States Immigration and Customs Enforcement, disaggregated by type, including—

(i) the number of victims identified through investigations carried out by United States Immigration and Customs Enforcement; and

(ii) the number of suspects arrested who were in positions of trust or authority over children;

(C) the number of cases opened for investigation by United States Immigration and Customs Enforcement; and

(D) the number of cases resulting in a Federal, State, foreign, or military prosecution.

(4) Availability of data to Congress

In addition to submitting the reports required under paragraph (7), the CEIU shall make the data collected and maintained under paragraph (3) available to the committees of Congress described in paragraph (7).

(5) Cooperative agreements

The CEIU is authorized to enter into cooperative agreements to accomplish the functions set forth in paragraphs (2) and (3).

(6) Acceptance of gifts**(A) In general**

The Secretary is authorized to accept monies and in-kind donations from the Virtual Global Taskforce, national laboratories, Federal agencies, not-for-profit organizations, and educational institutions to create and expand public awareness campaigns in support of the functions of the CEIU.

(B) Exemption from Federal Acquisition Regulation

Gifts authorized under subparagraph (A) shall not be subject to the Federal Acquisition Regulation for competition when the services provided by the entities referred to in such subparagraph are donated or of minimal cost to the Department.

(7) Reports

Not later than 1 year after May 29, 2015, and annually for the following 4 years, the CEIU shall—

(A) submit a report containing a summary of the data collected pursuant to paragraph (3) during the previous year to—

- (i) the Committee on Homeland Security and Governmental Affairs of the Senate;
- (ii) the Committee on the Judiciary of the Senate;
- (iii) the Committee on Appropriations of the Senate;
- (iv) the Committee on Homeland Security of the House of Representatives;
- (v) the Committee on the Judiciary of the House of Representatives; and
- (vi) the Committee on Appropriations of the House of Representatives; and

(B) make a copy of each report submitted under subparagraph (A) publicly available on the website of the Department.

(c) Computer Forensics Unit**(1) In general**

The Secretary shall operate, within the Center, a Computer Forensics Unit (referred to in this subsection as the “CFU”).

(2) Functions

The CFU—

(A) shall provide training and technical support in digital forensics to—

- (i) United States Immigration and Customs Enforcement personnel; and
- (ii) Federal, State, local, tribal, military, and foreign law enforcement agency personnel engaged in the investigation of crimes within their respective jurisdictions, upon request and subject to the availability of funds;

(B) shall provide computer hardware, software, and forensic licenses for all computer forensics personnel within United States Immigration and Customs Enforcement;

(C) shall participate in research and development in the area of digital forensics, in coordination with appropriate components of the Department; and

(D) is authorized to collaborate with the Department of Defense and the National As-

sociation to Protect Children for the purpose of recruiting, training, equipping, and hiring wounded, ill, and injured veterans and transitioning service members, through the Human Exploitation Rescue Operative (HERO) Child Rescue Corps program.

(3) Cooperative agreements

The CFU is authorized to enter into cooperative agreements to accomplish the functions set forth in paragraph (2).

(4) Acceptance of gifts**(A) In general**

The Secretary is authorized to accept monies and in-kind donations from the Virtual Global Task Force, national laboratories, Federal agencies, not-for-profit organizations, and educational institutions to create and expand public awareness campaigns in support of the functions of the CFU.

(B) Exemption from Federal Acquisition Regulation

Gifts authorized under subparagraph (A) shall not be subject to the Federal Acquisition Regulation for competition when the services provided by the entities referred to in such subparagraph are donated or of minimal cost to the Department.

(d) Cyber Crimes Unit**(1) In general**

The Secretary shall operate, within the Center, a Cyber Crimes Unit (referred to in this subsection as the “CCU”).

(2) Functions

The CCU—

(A) shall oversee the cyber security strategy and cyber-related operations and programs for United States Immigration and Customs Enforcement;

(B) shall enhance United States Immigration and Customs Enforcement’s ability to combat criminal enterprises operating on or through the Internet, with specific focus in the areas of—

- (i) cyber economic crime;
- (ii) digital theft of intellectual property;
- (iii) illicit e-commerce (including hidden marketplaces);
- (iv) Internet-facilitated proliferation of arms and strategic technology; and
- (v) cyber-enabled smuggling and money laundering;

(C) shall provide training and technical support in cyber investigations to—

- (i) United States Immigration and Customs Enforcement personnel; and
- (ii) Federal, State, local, tribal, military, and foreign law enforcement agency personnel engaged in the investigation of crimes within their respective jurisdictions, upon request and subject to the availability of funds;

(D) shall participate in research and development in the area of cyber investigations, in coordination with appropriate components of the Department; and

(E) is authorized to recruit participants of the Human Exploitation Rescue Operative (HERO) Child Rescue Corps program for investigative and forensic positions in support of the functions of the CCU.

(3) Cooperative agreements

The CCU is authorized to enter into cooperative agreements to accomplish the functions set forth in paragraph (2).

(e) Authorization of appropriations

There are authorized to be appropriated to the Secretary such sums as are necessary to carry out this section.

(Pub. L. 107-296, title VIII, §890A, as added Pub. L. 114-22, title III, §302(b)(1), May 29, 2015, 129 Stat. 251.)

FINDINGS

Pub. L. 114-22, title III, §302(a), May 29, 2015, 129 Stat. 251, provided that: “Congress finds the following:

“(1) The illegal market for the production and distribution of child abuse imagery is a growing threat to children in the United States. International demand for this material creates a powerful incentive for the rape, abuse, and torture of children within the United States.

“(2) The targeting of United States children by international criminal networks is a threat to the homeland security of the United States. This threat must be fought with trained personnel and highly specialized counter-child-exploitation strategies and technologies.

“(3) The United States Immigration and Customs Enforcement of the Department of Homeland Security serves a critical national security role in protecting the United States from the growing international threat of child exploitation and human trafficking.

“(4) The Cyber Crimes Center of the United States Immigration and Customs Enforcement is a vital national resource in the effort to combat international child exploitation, providing advanced expertise and assistance in investigations, computer forensics, and victim identification.

“(5) The returning military heroes of the United States possess unique and valuable skills that can assist law enforcement in combating global sexual and child exploitation, and the Department of Homeland Security should use this national resource to the maximum extent possible.

“(6) Through the Human Exploitation Rescue Operative (HERO) Child Rescue Corps program, the returning military heroes of the United States are trained and hired to investigate crimes of child exploitation in order to target predators and rescue children from sexual abuse and slavery.”

PART I—INFORMATION SHARING

§ 481. Short title; findings; and sense of Congress

(a) Short title

This part may be cited as the “Homeland Security Information Sharing Act”.

(b) Findings

Congress finds the following:

(1) The Federal Government is required by the Constitution to provide for the common defense, which includes terrorist attack.

(2) The Federal Government relies on State and local personnel to protect against terrorist attack.

(3) The Federal Government collects, creates, manages, and protects classified and sen-

sitive but unclassified information to enhance homeland security.

(4) Some homeland security information is needed by the State and local personnel to prevent and prepare for terrorist attack.

(5) The needs of State and local personnel to have access to relevant homeland security information to combat terrorism must be reconciled with the need to preserve the protected status of such information and to protect the sources and methods used to acquire such information.

(6) Granting security clearances to certain State and local personnel is one way to facilitate the sharing of information regarding specific terrorist threats among Federal, State, and local levels of government.

(7) Methods exist to declassify, redact, or otherwise adapt classified information so it may be shared with State and local personnel without the need for granting additional security clearances.

(8) State and local personnel have capabilities and opportunities to gather information on suspicious activities and terrorist threats not possessed by Federal agencies.

(9) The Federal Government and State and local governments and agencies in other jurisdictions may benefit from such information.

(10) Federal, State, and local governments and intelligence, law enforcement, and other emergency preparation and response agencies must act in partnership to maximize the benefits of information gathering and analysis to prevent and respond to terrorist attacks.

(11) Information systems, including the National Law Enforcement Telecommunications System and the Terrorist Threat Warning System, have been established for rapid sharing of classified and sensitive but unclassified information among Federal, State, and local entities.

(12) Increased efforts to share homeland security information should avoid duplicating existing information systems.

(c) Sense of Congress

It is the sense of Congress that Federal, State, and local entities should share homeland security information to the maximum extent practicable, with special emphasis on hard-to-reach urban and rural communities.

(Pub. L. 107-296, title VIII, §891, Nov. 25, 2002, 116 Stat. 2252.)

REFERENCES IN TEXT

This part, referred to in subsec. (a), was in the original “This subtitle”, meaning subtitle I (§§891-899) of title VIII of Pub. L. 107-296, Nov. 25, 2002, 116 Stat. 2252, which enacted this part, amended section 2517 of Title 18, Crimes and Criminal Procedure, Rule 6 of the Federal Rules of Criminal Procedure, set out in the Appendix to Title 18, and sections 1806, 1825, and 3365 of Title 50, War and National Defense, and amended provisions set out as a note under section 2517 of Title 18. For complete classification of subtitle I to the Code, see Tables.

REPORTS TO CONGRESS

Pub. L. 110-28, title III, May 25, 2007, 121 Stat. 139, provided in part: “That starting July 1, 2007, the Secretary of Homeland Security shall submit quarterly reports to